

ENTERED

April 13, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

UNITED STATES OF AMERICA,	§	
	§	
VS.	§	CIVIL ACTION NO. 7:20-CV-00373
	§	
0.720 ACRES OF LAND, MORE OR LESS, <i>et</i>	§	
<i>al.</i> ,	§	
	§	
Defendants.	§	

ORDER AND FINAL JUDGMENT

The Court has considered the motion by the United States of America seeking final judgment, granting possession, keeping the funds in the registry of the Court, and to close the above captioned proceeding,¹ and the Court is of the opinion that it should be **GRANTED** as unopposed.²

On February 18, 2022, this Court found that Eva Alvarez (50% undivided interest) and Felipe Adan Alvarez (50% undivided interest) were the owners of Tract RGV-RGC-5042 at the time of the taking subject of this action, with a 50% undivided ownership interest for each.³

On March 17, 2022, this Court also found that the United States' deposit of \$6,000.00 in the Court's registry constitutes just compensation for the fee taking.⁴

JUDGMENT

Therefore, title and interest in the Subject Property (Tract RGV-RGC-5042) are allocated as follows: Eva Alvarez (50% undivided interest) and Felipe Adan Alvarez (50% undivided interest) share of the just compensation.

¹ Dkt. No. 63.

² No party has filed opposition to this motion, and the Court therefore considers it as unopposed. *See* Local Rules 7.3, 7.4.

³ Dkt. No. 58.

⁴ Dkt. Nos. 5, 61, 62.


Based on the foregoing, the Court **ORDERS** that the Clerk of Court retain the funds of \$6,000.00 in the Court's registry, along with any accrued interest earned thereon while on deposit pursuant to 28 U.S.C. § 2042, until such time as they should come forward to claim said funds, as follows:

- \$3,000.00 to Eva Alvarez, with accrued interest, will remain on deposit in the Court's registry, pursuant to 28 U.S.C. § 2042, on account of the 50% undivided ownership interest of landowner until such time she or her heirs should come forward to claim said funds.
- \$3,000 to Felipe Adan Alvarez, with accrued interest, will remain on deposit in the Court's registry, pursuant to 28 U.S.C. § 2042, on account of the 50% undivided ownership interest of landowner until such time he or his heirs should come forward to claim said funds.

Further, the Court **ORDERS** that all Defendants to this action and all persons in possession or control of the property described in the Complaint and Declaration of Taking to immediately surrender possession of the property condemned estate to the United States.

Further, the Court **ORDERS** that the above-captioned case be closed.

SO ORDERED April 13, 2022, at McAllen, Texas.


Randy Crane
United States District Judge